IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE FIFTEENTH DAY OF OCTOBER
TWO THOUSAND AND NINE

PRESENT
THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA
WRIT PETITION NO : 22256 of 2009

Between:
G.Papaiah S/o. Vittal
R/o. Lingareddypet Village, Yellareddy Mandal,
Nizamabad District.

..... PETITIONER

AND

1 The District Collector, Nizamabad, Nizamabad District.
2 The joint Collector, Nizamabad, nizamabad District.
3 The Revenue Divisional Officer,
Kamareddy Division, Nizamabad District.
4 The Tahsildar Yellareddy Mandal, Nizamabad District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus, declaring the impugned order in Proc. No. B1/2247/2009-3 dated 07.10.2009 passed by the 3rd respondent is illegal, arbitrary and violation of the Principles of natural justice and also in violation of the provisions of the A.P. State Public Distribution Systems (Control), order, 2008 consequently set aside the same, and pass

Counsel for the Petitioner:MR.AKKAM ESHWAR

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following :

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 22256 of 2009

ORDER:

1 The petitioner's authorisation was suspended on the ground of diversion of essential commodities to the black market. The same is questioned in this Writ Petition.

2 Apparently, an appeal is provided for under Clause 20 of the A.P. State Public Distribution System (Control), Order, 2008 against an order of suspension / cancellation of authorisation. However, as the Revenue Divisional Officer is competent to hold an enquiry into the said allegations, this Writ Petition is disposed of with a direction to the Revenue Divisional Officer to complete the said enquiry within a period of six weeks from the date of receipt of a copy of this order. If for any reason the said enquiry is not completed in the time so fixed, the Revenue Divisional Officer is hereby directed to restore the authorisation of the petitioner and permit the petitioner to distribute the essential commodities to the cardholders during the pendency of the enquiry.

3 The Writ Petition is accordingly disposed of. NO order as to costs.

15.10.2009

kvsn